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Secrt. II–27—100,006—21-5-52.

Home (1949) Department.

Mb SERIES.

G.O. No. 4402
Dated 3 11 1949

[Despatch Abstract.]

Law officer – City – Date of hearing of case Report to Head of Dept. concerned – Instruction issued

GOVERNMENT OF MADRAS
Home Department.

Memorandum No. 132629-(Cts.III)/52.6 dated the 4th October 1952.

Sub: LAW OFFICERS - City and mofussil - Dates of hearing of proceedings - Further action to be taken in appeals disposed of against Government - Intimation to the Commercial Tax Department - Instructions issued.
Ref: From the Board of Revenue, Madras, A.No.769-A/51.2 dated the 20th October 1951.

The Board of Revenue has brought to the notice of the Government that it had no knowledge of the filing of Appeal No. 150/50 in the High Court by the dealer against the decision of the Presidency Magistrate, as the law officer of the Government in charge of the appeal did not ask the Board for any instructions in the matter. As this practice would prove harmful in certain cases, the Board of Revenue requested the Government to issue suitable instructions in the matter to Law Officers of the Government. After careful consideration of the Board's proposal, the following instructions are issued:-

(1) Collectors are requested to instruct the Public Prosecutors in their districts to give intimation in time, of the date or dates of hearing of a proceeding in courts especially in its early stages, to the Commercial Tax Department Officer concerned in charge of the case so that he may, if necessary, give instructions to the Public Prosecutor in the matter.

(2) Collectors are also requested to instruct the Public Prosecutors in their districts that in such of the appeals as are disposed of against the Government, the Public Prosecutors should advise the Commercial Tax Department Officer concerned in charge of the case as to the further action to be taken in the matter.

(3) The Commissioner of Police, Madras, is requested to instruct the Chief Assistant State Prosecutor and the Assistant State Prosectuors attached to the Chief Presidency Magistrate's and other Presidency Magistrates' Courts to give intimation in time of the date or dates of hearing of a proceeding in the Court especially in its early stages to the Commercial Tax Department Officer concerned, so that he may, if necessary, give instructions to the Chief Assistant State Prosecutor or the Assistant State Prosecutor, as the case may be. The Commissioner is also requested to instruct them that in such of the cases as are disposed of against the Government they should advise the Commercial Tax Department concerned as to the further action to be taken in the matter.

2. As regards the appeals or revision petitions disposed of by the High Court, the Board of Revenue is informed that when a matter is taken in appeal or revision to the High Court, ordinarily there will not be any need for further appeal. In cases, however, where the matter is so important as to be taken to the Supreme Court, the Board of Revenue is requested to move the Government in the matter.

V. HANUMANTHA RAO
Joint Secretary to Government.

To the Board of Revenue, Madras.
To all Collectors of districts.
To the Commissioner of Police, Madras.
To the Public Prosecutor, Madras.
To the State Prosecutor, Madras.
Copy to the Revenue Department.

/True copy/

Superintendent,
Madras Record Office, Egmore.

Sk.

JR/29/7

GOVERNMENT OF MADRAS
Abstract.
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LAW OFFICERS - City - Date of hearing of cases - Report to Head of Department concerned - Instructions issued.

Home Department.

G.O. (Ms) No. 4403. Dated, the 3rd November 194

ORDER:

The Government direct that the date of hearing of a Government case in the High Court, Madras, especially in its early stages, should be communicated in time to the Head of the Department concerned, by the Law Officer in charge of the case, so that the Head of the Department may, if necessary, depute a departmental officer to instruct the law officer suitably on departmental matters.

(By order of His Excellency the Governor)

O. PULLA REDDI
Secretary to Government.

To the Law Officers in the City, Madras.
To the Honourable the Chief Justice, High Court, Madras.
To the Secretary Central Road Traffic Board, Madras.
To all other Heads of Departments.

/True copy/

Superintendent,
Madras Record Office, Egmore.

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